

Advisory councils discuss possible Wisconsin Fund revisions and review POWTS code

by Roman Kaminski, S&B POWTS Program Manager, rkaminski@commerce.state.wi.us, 715-345-5334

The focus of a recent meeting of S&B's Wisconsin Fund advisory council was on possible revisions to the Wisconsin Fund code. A Comm 83 advisory council met to review the POWTS code revisions that went into effect in early 2004. More formally, the two groups are the new advisory code council for Comm 87, Private Sewage System Replacement or Rehabilitation Grant Program, (Wisconsin Fund), and the ongoing Comm 83, Private Onsite Wastewater Treatment Systems, code council.

You can keep track of council activities by referring to the S&B code councils WebSite page, <http://www.commerce.state.wi.us/SB/SB-CodeCouncils.html>. You can also sign-up online to be sent occasional email messages concerning POWTS-related councils and the S&B POWTS program in general, <http://www.commerce.state.wi.us/SB/SB-DivEmailSignup.html>.

In all, the **Wisconsin Fund Advisory Council** met twice in the last two months. Council members, representing a broad spectrum of interested parties, reviewed a list of 22 issues that had been gathered since the code was last revised in 1999.

One issue is possibly revising the grant funding tables to maintain compliance with the provisions found in 145.245(7)(c), Wis. Stats., which require that current costs be represented in the grant award tables. Other issues included updating terminology to be consistent with that found in Comm 83.

While the council members worked swiftly through most of the issues, they deliberated at length regarding how to maintain consistency between Comm 87 and 83 regarding maintenance

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Wisconsin Construction Codes Report, June 2004

New UDC rules delayed for some municipalities

There is a delay in Uniform Dwelling Code (UDC) enforcement for some Wisconsin municipalities that were newly required to provide or allow UDC enforcement under the state Home Safety Act, which went into place in December 2003.

State legislation as of May 5 delays enforcement of the UDC established under the Home Safety Act until January 1, 2005, for those

cities, villages, or towns with a population of 2,500 or fewer that prior to December 18, 2003 **had adopted a resolution** exempting themselves from enforcement of the UDC.

Municipalities in which the delay will occur are identified with a "NO" in the UDC enforcement status spreadsheet offered on the S&B WebSite, <http://www.commerce.state.wi.us/SB/SB-UDCStatusListInstructions.html>.

Municipalities where there is no delay and enforcement is done by UDC Inspection Agencies have a status of "UN," "NOM," or "ST." More information on the S&B WebSite covers the situation for municipalities with the "UN," "NOM," or "ST" statuses (including a definition of the codes).

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Renewal notices for S&B licenses, certifications, and registrations expiring June 30 were mailed in mid-May. If you are expecting a renewal letter and have not received one, contact the S&B Credentialing Unit, 608-261-8500, madisoncred@commerce.state.wi.us.



UDC rules

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The Home Safety Act requires all new homes to be inspected per the UDC. Prior to the act, municipalities of fewer than 2,500 residents could by official resolution choose to not follow the enforcement provisions, even though the construction still had to meet UDC requirements. The May 5 delay in the enforcement provisions allows those smaller municipalities to temporarily continue without enforcement.

In the smaller municipalities which before December 18, 2003 made no action to enforce or not, the Home Safety Act enforcement provisions are now in place. If the municipality has not set up an enforcement system, the property owner doing the construction is responsible for contacting a state-certified Inspection Agency to obtain a building permit and get inspections done (see online credential lists to find agencies: <http://www.commerce.state.wi.us/SB/SB-CredList.html>).

It is important to note the delay legislation does not prohibit municipalities from adopting ordinances to enforce the UDC. Municipalities which previously chose not to enforce the UDC, or chose to have the state do so, may at anytime decide to set up enforcement regulations.

Contact the S&B UDC program staff members:

-Leroy Stublaski, Uniform Dwelling Code Consultant, Madison, 608-267-5113, lstublaski@commerce.state.wi.us
-Jack Miller, Code Consultant, La Crosse, 608-785-9348, jamiller@commerce.state.wi.us
-Randy Mattison, Code Consultant, Hayward, 715-634-8964, rmattison@commerce.state.wi.us
-Duane Hubeler, Code Consultant, Madison, 608-266-1390, dhubeler@commerce.state.wi.us
-Gary Ekes, S&B Manufactured Dwellings Consultant, 608-575-0967, gekes@commerce.state.wi.us
-Tom Kasper, S&B Integrated Services Bureau UDC section chief, 608-267-7586, tkasper@commerce.state.wi.us
-Laurence Swaziek, S&B UDC Program Manager, 608-267-7701, lswaziek@commerce.state.wi.us

Public hearing on historic and existing buildings

Comm 70 and sections Comm 62.0903, 62.0905 and 62.3001, Historic and Existing Buildings Codes. A public hearing on proposed rule changes will be held Monday, June 7, 2004 at the Thompson Commerce Center, Room 3C, Madison, Wisconsin, starting at 10 a.m. The hearing announcement and hearing draft are online, <http://www.commerce.state.wi.us/SB/SB-CodeDevelopment.html>. Paper copies are available from Roberta Ward, rward@commerce.state.wi.us, 608-266-8741.

State administrative codes are on the Internet

<http://www.legis.state.wi.us/rsb/code/codtoc.html>. Paper copies may be purchased from Document Sales, 800-362-7253, for credit card purchases, or 608-266-3358.

Scoping statements prepared for new historic buildings code and on rental unit energy efficiency

A possible new code chapter, Comm 72, Abrasive Cleaning of Historic Buildings, is the subject of a scoping statement prepared by Department of Commerce staff.

Comm 67, Rental Unit Energy Efficiency, is the subject of another scoping statement.

Scoping statements are mandated outlines of code development work planned by a state agency, done in advance of commencing the work.

The statements are online, <http://www.commerce.state.wi.us/SB/SB-CodeDevelopment.html>. Paper copies are available from Roberta Ward, rward@commerce.state.wi.us, 608-266-8741.

The *Wisconsin Plumbing Products Register* is online, <http://www.commerce.state.wi.us/SB/SB-PubsPlumbingProductsRegister.html>.

The UW-Madison Small Scale Waste Management Project offers three summer half-day field sessions on "Reading Shallow Soil Saturation."

Specific onsite systems may now be installed over very thin, unsaturated segments of soil A-horizons in accord with Wisconsin code. The dark colors of topsoil and other factors make it difficult to read the traditional indicators of seasonal saturation. This soil-pit session will provide skill development in the approach and techniques for determining saturation in shallow soils.

Dane County, Monday, June 14, 2004
Shawano County, Wednesday, June 16, 2004

Barron County, Tuesday, July 13, 2004

Application has been made to the Safety and Buildings Division for 3.5 continuing education credit hours for soil tester, inspector, maintainer, and plumber credentials. Fee \$42. Instructor: E. Jerry Tyler, UW-Madison. Brochures will be available in May. For more information, contact Jim Peterson, UW Environmental Resources Center, 1545 Observatory Drive, Madison; 608-262-3799; jopeters@wisc.edu.

POWTS councils

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provisions. The consensus of the council was that the revised Comm 87 code should reflect the maintenance provisions in Comm 83 whenever possible. A public hearing on the proposed Comm 87 code revisions could be held this spring or summer.

The Comm 83 Code Council focused their efforts on the February 01, 2004 revision of the

Plumbing information in a Q&A format organized by code section is on the S&B WebSite: <http://www.commerce.state.wi.us/SB/SB-PlumbingDatabaseReport.html>

POWTS code. Based on the discussions during the meeting, I think council members and the organizations they represent appear generally satisfied with the current version of the code. A small number of council members said they plan to discuss certain soil-related issues that are of concern to some industry practitioners. A field demonstration site visit may be coordinated to allow soil testers, S&B staff, and academe to discuss some issues in a "real life" setting, so that everyone has an opportunity to view in the natural environment setting what has been discussed/debated on paper. (See class above right.)

Any recommendations offered by council members will be considered by S&B for future code revisions.

Longer terms part of credential code changes

Revisions to Comm 5, Licenses, Certifications, and Registrations Code, will change some credentials to 4-year terms to help increase the efficiency of credential processing. The changes are effective August 1, 2004. Renewals for credentials expiring before August 1 will reflect the current terms.

S&B Categories affected are: Blasters, Fireworks Manufacturer, Dwelling Contractor Financial Responsibility, Manufactured Home Manufacturer, Soil Tester, Welders, Weld Test Conductors, POWTS Maintainer, Electrical Contractors, Master, Journeyman, and Beginner Electricians, HVAC Contractor, Refrigerant Handling Technician, and Automatic Fire Sprinkler Tester.

Also affected are various S&B inspector categories: Boiler-Pressure Vessel, Commercial Building, Commercial Electrical, UDC, Soil Erosion, Elevator, POWTS, and Rental Weatherization.

Continuing ed requirements and fees are adjusted to match the new terms. For example, a master electrician who needs 18 hours continuing ed over three years will need 24 hours over four years. The master electrician \$150 license fee for three years years will be \$200 for four.

Because fees for 4-year terms will be collected at the time of renewal, rather than for two or three year terms, the amount paid at one time increases.

Commercial Plumbing Inspector

A Commercial Plumbing Inspector certification is created by the code changes. It will have a 4-year term with a renewal date of June 30. The fee for the certificate will be \$30 for four years. The Commercial Plumbing Inspector certification will be required for all commercial plumbing inspectors in cities of the first, second, or third class, beginning February 1, 2005. S&B will start issuing these certifications in August 2004 to have the inspectors in place before the 2005 date.

If you have a S&B credential, take your card out and look at it now . Keep track of your opportunity to work! Questions? Contact the S&B Credential Unit: madisoncred@commerce.state.wi.us, 608-261-8500.

A person holding a MP or JP license can apply for a Commercial Plumbing Inspector certification without taking an exam.

Until August 1, 2005, a Uniform Dwelling Code Plumbing Inspector who has evidence of performing at least 50 commercial building inspections and is employed, or under contract, to provide municipal plumbing inspections, can apply for the Commercial Plumbing Inspector certification without taking the exam.

People certified as Commercial Plumbing Inspectors will be authorized to conduct UDC plumbing inspections.

POWTS Inspectors: Persons will be able to get POWTS Inspector certification without examination if they hold a license as a Master Plumber, Journeyman Plumber, Master Plumber-Restricted Service, or Journeyman Plumber-Restricted Service.

Restricted Service: A new rule expands the scope of activities that a restricted service plumber licensee may perform related to connection of a manufactured/mobile home.

Out-of-State Licenses: New rules specify the process for applying for a plumber license for a person who holds a license from or has practical experience in another state.

CCCDT Registration: The number of hours of course work a person must complete before applying for a Cross Connection Control Device Tester registration increases from 32 to 40.

UDC Permits Before Work Commences: Also, new rules inform Dwelling Contractors, Electrical Contractors, Master Electricians, Fire Sprinkler Contractors, HVAC Contractors, HVAC Qualifiers, and Master Plumbers that construction or installation may not commence until required Uniform Dwelling Code building permits or sanitary permits are issued. This is to assist in the statewide UDC enforcement changes.

Plan for possible update of building code

Comm 61 to 65, Commercial Building Code, and companion portions of Comm 14, Fire Prevention Code, are the subjects of a scoping statement prepared by Department of Commerce staff. Scoping statements are mandated outlines of code development work planned by a state agency, done in advance of commencing the work.

The statement says the planned work is: "To update various design and construction related requirements of the Wisconsin Commercial Building Code and any corresponding criteria in the Fire Prevention Code ..."

"The review and update process is expected to span two years during which the 2003 and 2006 editions of model codes will be considered. This update activity may include minor modifications to other Comm codes, in order to deal with any references in those codes to corresponding changes to chapters Comm 61 to 65 and 14."

If the code project is approved, Commerce will work with the building and fire prevention advisory code councils.

The statements are online, <http://www.commerce.state.wi.us/SB/SB-CodeDevelopment.html>. Paper copies are available from Roberta Ward, rward@commerce.state.wi.us, 608-266-8741

Pages for individual S&B programs on the WebSite

<http://www.commerce.state.wi.us/SB/SB-HomePage.html>

Q&A about the Wisconsin Commercial Building Code is on the S&B WebSite

<http://www.commerce.state.wi.us/SB/SB-CommercialBuildingsCodeAdoptionQuestions.html>

Delegated Agents

Some municipalities in Wisconsin have authority to do building or fire protection plan review, inspections, and otherwise carry out code-related functions as delegates of the Department of Commerce. For information and a list of current delegated municipalities, see the S&B WebSite, www.commerce.state.wi.us/SB/SB-CommercialBuildingsCertifiedMunicipalities.html.

Fax or email technical code questions to:

- Amusement Rides, Rope/Ski Tows	608-283-7419	.....	healthsafetech@commerce.state.wi.us
- Boilers and Pressure Vessels	608-283-7420	.....	sbboilertech@commerce.state.wi.us
- Building and Plumbing Products	608-283-7407	.....	productech@commerce.state.wi.us
- Commercial Buildings, Comm 61-65	608-283-7402	.....	bldgtech@commerce.state.wi.us
- Electrical	608-283-7418	.....	electrictech@commerce.state.wi.us
- Elevators	608-283-7411	.....	elevatortech@commerce.state.wi.us
- Fire Protection Systems	608-283-7405	.....	fireprotech@commerce.state.wi.us
- Gas Systems	608-283-7420	.....	sbboilertech@commerce.state.wi.us
- Licenses, Certifications, Registrations	608-283-7400	.....	madisoncred@commerce.state.wi.us
- Manufactured/Mobile Homes	608-283-7401	.....	manf-homes@commerce.state.wi.us
- One- and Two-Family Dwelling Code	608-283-7428	.....	udctech@commerce.state.wi.us
- Plumbing, Cross Connection Control	608-283-7403	.....	plbgtech@commerce.state.wi.us
- Private Onsite Wastewater Treatment	608-283-7404	.....	powtstech@commerce.state.wi.us
- Public Sector Safety	608-283-7419	.....	healthsafetech@commerce.state.wi.us
- Public Swimming Pools	608-283-7406	.....	pooltech@commerce.state.wi.us
- Welding	608-283-7420	.....	sbboilertech@commerce.state.wi.us

List of members of the Safety and Buildings Division advisory code councils

- Amusement Ride Code Advisory Council

Robert Dillenburg, Pickerel; Steve Elliott, Madison; Bill Fischer, Green Bay; Darrell Klompmaker, Marshall; David Larkee, Waupaca; Gilbert Toslek, Milwaukee; Charles Waterman, Oshkosh.

- Automatic Fire Sprinkler Contractor and Journeymen Council

Jeff Bateman, Slinger; Dan Driebel, New London; Greg Hintz, Neenah; Chris Schoenbeck, Milwaukee; James Smith, Madison.

- Boiler and Pressure Vessel Council

William Andrae, Milwaukee; Peter Burno, Stoughton; Jay Ehrfurth, Madison; Rick Heeren, Madison; Daniel Hegyi, Schaumburg, IL; Matt Keenan, Cushing; Douglas McLeish, Beloit; John Nepscha, Milwaukee; Paul Prill, Milwaukee; Randy Pucek, Milwaukee; Raymond Swanson, Louisville, KY.

- Commercial Building Code Council

Janet Harter, Eau Claire; Curt Hastings, Madison; Joe Jameson, Middleton; Joseph Jurkiewicz, Milwaukee; David Keller, Madison; Terry Kennedy, Madison; Dennis Krutz, Milwaukee; David Lind, Glendale; William Napier, Madison; Ed Ruckriegel, Madison; Chris Rute, Milwaukee; Gary Ruhl, Appleton; Michael Shoys, Madison; Russ Spahn, Greenfield; Fred Stier, Waukesha.

- Contractor Financial Responsibility Council

James Cauley, Elm Grove; Kenneth Lepak, Stevens Point; Bruce McMiller, Wisconsin Rapids; Lawrence Schauder, Janesville; Mary Schroeder, Brookfield.

- Electrical Code Advisory Council

Terry Fameree, Green Bay; David Hansen, Madison; Ronald Jahnke, Madison; Ron Janikowski, Wausau; Charles Johansen, Hayward; James Loock, Madison; Richard Lynes, Janesville; Ronald Maassen, Wauwatosa; Robert Molde, Eau Claire; James Neuens, Green Bay; Ken Petersen, Barron.

- Elevator Code Council

Don Annen, Madison; Warren Bauer, Madison; David Koch, Madison; Bruce Lammi, Milwaukee; Steve Lex, Cottage Grove; Jeff Lund, Appleton; William Page, Oconomowoc; John Zalewski, Milwaukee; Andrew Zielke, DeForest.

- Gas Systems Code Council

Ed Aldridge, Bloomington IL; Bruce Barganz, Jefferson; Tim Clay, Madison; David Duey, Milton; Kingsley Forbes, Wausau; Art Herschberger, Ripon; Gary Puljas, Altoona; Gene Reece, Appleton; Timothy Temperly, Milwaukee; John Wehmeier, Milwaukee; Bob Willder, Madison.

- Historic Building Code Council

Bruce Johnson, Milwaukee; Steve Gleisner, Milwaukee; Charles Quagliana, Madison; Chris Rute, Milwaukee; Jim Sewell, Madison; Harry Sulzer, Madison; David Vos, Madison.

- Manufactured Home Dealers and Salespersons Council

Russ Gilson, Manitowoc; Bart Huntington, Bonduel; Tom Palecek, Marshfield; Allen Schwoerer, Eau Claire; Mark Thiede, Chippewa Falls; Gary Wegner, Oxford; Lynn Wehner, Fond du Lac; Steve Wetts, Clinton; Kathleen Zurawski, Stevens Point.

- Manufactured Homes and Home Parks Council

Phil Blazkowski, Janesville; Brian Brown, Janesville; Gregg Cleveland, Marshfield; Joseph Dentice, Jr., Pewaukee; Mark Flood, Fond du Lac; John Geise, Lancaster; Pete Halverson, Beloit; Ron Middleton, Bonduel; Arlene Norris, Madison; Al Rhinerson, Oxford; Kristen Zehner, Marshall.

- Mechanical Refrigeration Code Council

Jeffrey Boldt, Madison; John Brenton, Burlington; Brady Farrell, Madison; David Guckelberger, LaCrosse; Gary Hammen, Madison; Al Mlakar, Milwaukee; Randy Pucek, Milwaukee; Frederick Weidenfeller, Cudahy.

- Multifamily Dwelling Code Council

Kevin Cavanaugh, Fox Point; Paul Coats, Joliet, IL; Bruce Fuerbringer, Eau Claire; Beth Gonnering, Kenosha; Edward Gray, Kenosha; James Klett, Whitefish Bay; Harry Macco, DePere; Paul Marunich, Madison; Carl Mastaglio, Madison; Richard Paur, Milwaukee; William Roehr, Pewaukee; Ed Ruckriegel, Madison; Fred Stier, Waukesha.

- Plumbers Council

Dave Jones, Madison; Don Wiedoff, Milwaukee; Lynita Docken, Onalaska.

- Plumbing Advisory Code Council

Thomas Boehnen, Madison; Gary Kowalke, Baraboo; Mark Krowski, Milwaukee; Jeff Kuhn, Brookfield; Clint McCullough, Madison; Art Biesek, Reedsburg; Alex Neuwirth, Milwaukee; Rudolf Petrowitsch, Menomonee Falls; Dale Schlieve, Rhinelander; Gene Shumann, LaCrosse; David Viola, Schaumburg, IL; Joseph Zoulek, Butler.

- Plumbing Advisory Code Council - Stormwater Workgroup

Mazen M. Amer, Milwaukee; Tom Cottreau, Milwaukee; Willie Gonwa, Milwaukee; Dan Jensen, Portage; Mary Anne Lowndes, Madison; Bob Netzler, Manitowoc; Robert Pups, Greenfield; Gene Shumann, LaCrosse; James Wolf, Madison.

- Pool Advisory Code Council

Dave Baker, Wisconsin Dells; Tom Carrico, Olewein, IA; Tracynda Davis, Madison; Duane Jackson, Madison; Charles Neuman, Beaver Dam; Sean O'Connor, Prairie du Sac; Peter Simon, Beaver Dam; Doug Voegeli, Madison; Jack Waterman, Wisconsin Dells.

You may search S&B computer records for Boilers, Pressure Vessels, Elevators and other People Moving Systems, Mechanical Refrigeration, Cross Connection Control Devices, and Anhydrous Ammonia Storage Facilities. See the relevant program page link on the S&B Home Page, <http://www.commerce.state.wi.us/SB/SB-HomePage.html>, then look for "ability to search on S&B records."

- POWTS Advisory Code Council

James Converse, Madison; Steven Crosby, Waunakee; Thomas Gilbert, Madison; Duane Greuel, Wisconsin Rapids; Dave Jones, Madison; Wayne Mink, Fond du Lac; Don Murphy, Eagle; Sue Schambureck, Reedsville; Todd Stair, Delafield; E. Jerry Tyler, Madison.

- POWTS Technical Advisory Committee

Rick Apfel, Madison; Tom Gilbert, Madison; Duane Greuel, Wisconsin Rapids; Wayne Mink, Fond du Lac; James Converse, Madison; Gary Kowalke, Baraboo.

- Public Safety Advisory Coouncil

Ken M. Blomberg, Plover; Jose Bucio, Milwaukee; Vance Forrest, Brookfield; Boyd Garey, Madison; David Hanneman, Schofield; Ron Kent, Madison; Dave Kodel, Brookfield; James Kropp, Madison; Don Lythjohan, Madison; Thomas Rowe, Milwaukee; Richard Stadelman, Shawano; Ernest Stracener, Madison; Dennis Tweedale, Madison.

- Rental Unit Energy Efficiency Council

Rob Jens, Madison; Tom McKenna, Madison; Kent Schwanker, Ripon.

- Uniform Dwelling Code Council

Jeffrey D. Bechard, Eau Claire; Mark Benkowski, Greendale; Mike Check, Manitowoc; Michael Green, Eau Claire; Kevin Guillory, Hayward; Tim Ihlenfeld, New Berlin; Harold Last, Waupaca; Steven Levine, Madison; Len Linzmeier, Madison; Daniel Nowak, Waukesha; Dennis O'Loughlin, DeForest; Frank Opatik, Wausau; William Roehr, Pewaukee; Gary Ruhl, Oshkosh; Randolph Thelen, Elkhorn; John Vande Castle, Fond du Lac; Brian Walter, Neenah; Paul Welnak, Milwaukee; Christine Wilson, Janesville.

- Wisconsin Fund Advisory Code Council

Roger Plesha, La Crosse; Todd Stair, Delafield; Harry Butler, Waukesha; Tom Larson, Madison; Ruth Fitzgerald, Oconomowoc; Ted Rohloff, Chilton; Lesly Roll, Appleton; Steve Olson, Chippewa Falls; Dave Jones, Madison.

Sign-up for Email Lists! Keep track of what's happening on topics of interest to you!

<http://www.commerce.state.wi.us/SB/SB-DivEmailSignup.html>

New lists have been created for a dozen more S&B programs. If you previously signed up online, you may want to look again to see if S&B can respond to other of your interests.



Online you can check the list(s) you wish to be part of. Enter your email address and name, then click "subscribe."

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| <input type="checkbox"/> Amusement Rides | <input type="checkbox"/> Plumbing Program |
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| <input type="checkbox"/> Elevators | <input type="checkbox"/> Refrigeration |
| <input type="checkbox"/> Explosives | <input type="checkbox"/> Rental Unit Energy Efficiency |
| <input type="checkbox"/> Fire Department Safety, Health | <input type="checkbox"/> Soil Erosion |
| <input type="checkbox"/> Fire Protection Systems | <input type="checkbox"/> Swimming Pools |
| <input type="checkbox"/> Forms | <input type="checkbox"/> Uniform Dwelling Code |
| <input type="checkbox"/> Gas Systems | <input type="checkbox"/> WCCR |
| <input type="checkbox"/> HVAC/Energy | <input type="checkbox"/> Welding |
| <input type="checkbox"/> Manufactured/Mobile Homes | |

You can sign up to receive occasional messages from the Safety and Buildings Division about news important to people interested in specific programs.

To schedule an appointment (commercial/multifamily buildings, pools, or plumbing):

- Fax: 24-hour toll-free number for appointment scheduling, 877-840-9172
- Email: planschedule@commerce.state.wi.us

For application forms:

- On the S&B WebSite (choose "Get Forms," <http://www.commerce.state.wi.us/SB/SB-DivForms.html>)
- Call any of the offices listed on page 10

Info about next available review appointment:

<http://www.commerce.state.wi.us/SB/SB-DivDailyDoc.html>

Info about status of plan review:

<http://www.commerce.state.wi.us/SB/SB-DivReviewStatusSearch.html>

<http://www.commerce.state.wi.us/SB/SB-DivEmailSignup.html>

In the case of the *Wisconsin Construction Codes Report* list, you will be notified when a new monthly *WCCR* is placed on the WebSite. In the case of the Forms list, you will be notified at the end of a week in which substantive changes were made to one or more forms online.

You can un-subscribe at any time via a link from the bottom of each email you receive as part of the list.



Be aware that email addresses gathered by state agencies may be subject to open records laws.

Comm 83, Private Onsite Wastewater treatment Systems Code - Official Code Interpretation

Code Sections: Comm 83.52 Responsibilities. (1)(a)

The owner of a POWTS shall be responsible for ensuring that the operation and maintenance of the POWTS occurs in accordance with this chapter and the approved management plan under s. Comm 83.54(1).

Comm 83.55 Reporting Requirements. (1)(a)

The owner of a POWTS or the owner's agent shall report to the governmental unit or designated agent at the completion of each inspection, maintenance or servicing event specified in the approved management plan, except for camping unit transfer containers..

Comm 83.55(2)

The inspection, maintenance and servicing reports required under sub. (1) shall be submitted to the governmental unit or designated agent in accordance with all of the following: (a) In a manner specified by the governmental unit or designated agent. (b) Within 30 calendar days from the date of inspection, maintenance or servicing. (c) By the owner or the owner's agent.

Question 1: Management requirements and responsibilities related to POWTS are addressed in chapter Comm 83, Subchapter V, Wis. Adm. Code. This subchapter contains references to the owner, and owner's agents as parties that shall report to a governmental unit upon the completion of inspection, maintenance and servicing of POWTS. The subchapter also lists credentialled individuals that may perform the inspection, maintenance and servicing of POWTS. Given the information contained in this subchapter, who is ultimately responsible for ensuring that required information is provided to the governmental unit?

Answer 1: Section Comm 83.52(1)(a), Wis. Adm. Code, states: "The owner of a POWTS shall be responsible for ensuring that the operation and maintenance of the POWTS occurs in accordance with this chapter and the approved management plan under s. Comm 83.54(1)."

Section Comm 83.55(1)(a), Wis. Adm. Code, states: "The owner of a POWTS or the owner's agent shall report to the governmental unit. ...".

Both code sections clearly state that the owner is responsible for maintaining their POWTS and to report what inspection, maintenance or servicing events took place. While the code does allow the owner to delegate the reporting function to an agent that could be the service provider, ultimately the responsibility for fulfillment of the reporting requirement rests with the owner.

Question 2: If a governmental unit establishes a fee associated with the filing of a report regarding inspection, maintenance or servicing of a POWTS, who is ultimately responsible for payment of the fee?

Answer 2: Section Comm 83.55(2)(a), Wis. Adm. Code, states "the inspection, maintenance and servicing reports required under sub. (1) shall be submitted to the governmental unit. ...in a manner specified by the governmental unit or designated agent." Section Comm 83.55(1)(a), Wis. Adm. Code, states: "The owner of a POWTS or the owner's agent shall report to the governmental unit. ...".

The owner is obligated to report to the governmental unit. If there is a fee associated with filing the report and acceptance of the report hinges on receipt of the fee, the owner is ultimately responsible to provide the fee payment in order to comply with the requirements of these code sections.

by: Kimberly R. Walker, Administrator, May 13, 2004

Safety and Buildings Offices

Green Bay Office 2331 San Luis Pl #150 Green Bay WI 54304 920-492-5601 Fax 920-492-5604 planschedule@commerce .state.wi.us	Madison Office 201 W Washington Ave PO 2658 Madison WI 53701 608-266-3151 Fax 608-267-9566 planschedule@commerce .state.wi.us
Hayward Office 10541N Ranch Rd. Hayward WI 54843 715-634-4870 Fax 715-634-5150 planschedule@commerce .state.wi.us	Shawano Office 1340 E Green Bay St #300 Shawano WI 54166 715-524-3626 Fax 715-524-3633 planschedule@commerce .state.wi.us
La Crosse Office 4003 North Kinney Coulee Road LaCrosse WI 54601 608-785-9334 Fax 608-785-9330 planschedule@commerce .state.wi.us	Waukesha Office 141 NW Barstow St, 4th flr Waukesha WI 53188 262-548-8600 Fax 262-548-8614 planschedule@commerce .state.wi.us

Elevator Inspectors

David Holmes	Eau Claire	715-828-5901
Jim Kreuzer	Tomah	608-235-0603
Timothy Marty	Appleton	920-428-9422
James Pacala	Woodruff	715-296-2906
George Poblocki	Amherst	715-340-0109
Ted Stinson	Waukesha	414-852-3627
Frank Wozniak	Waukesha	414-315-8102
Dan Meneguín, Superv.	Madison	608-266-0056

Uniform Dwelling Code Consultants

Duane Hubeler	Madison	608-266-1390
Randy Mattison	Hayward	715-634-8964
Jack Miller	La Crosse	608-785-9348
Leroy Stublaski	Madison	608-267-5113

Fire Protection Coordinators of the Environmental and Regulatory Services Division of the Department of Commerce

John Andersen	Chippewa Falls	715-726-2556
Sue Birren	Milwaukee	414-371-5673
Dave Bruflat	Couderay	715-945-2995
Carl Frisque	Green Bay	920-492-7728
Terry Nolen	Verona	608-845-5375
Cathy Cliff, Superv.	Madison	608-267-9360

Fire Protection Systems

Keith Glaunert	Waukesha	262-548-8604
Lynne LeCount	Green Bay	920-492-7727
Dan Menguin	Madison	608-266-0056

Industrial Hygienists

Tom Pritchett	Lodi	608-576-4123
Susan Trail	Athens	715-571-4540
Dave Vriezen, Superv. ..	Madison	608-261-2503

Public Swimming Pool Reviewer

Glen Jones	Madison	608-267-5265
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Plumbing/Pool Consultants

Tom Braun	Stevens Point	715-340-5387
Don Hough	Hayward	715-634-4804
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